

REQUEST TO MODIFY OR REVOKE
A portion of the Sunshine Campground Withdrawal COC-013297

This Request to Modify or Revoke is submitted pursuant to the requirements of 43 C.F.R. 2372.1(b)(1) through (13).

1. **Holding Agency:**

U.S.D.A Forest Service
12th & Independence SW
P.O. Box 2417
Washington, DC 20013

Site Location:

Grand Mesa, Uncompahgre and Gunnison National Forest Service
2250 Highway 50
Delta, Colorado 81416

2. **Withdrawal Order:**

Public Land Order No. 1378, published in the *Federal Register* on January 11, 1957, stated:

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 dated January 3, 1957, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under public land laws, including the mining but not the mineral-leasing laws or the action of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), and reserved for use of the Forest Service, Department of Agriculture, as picnic grounds and recreation areas as indicated.

3. **Legal Description of Lands to be Relinquished:**

Original Withdrawal: Township 42 North, Range 9 West, New Mexico Principal Meridian, (San Miguel County, Colorado) Section 20, E½ E½ SW¼ NW¼ and SE¼ NW¼ (less small acreage included in MS# 1495 Golden Age Placer in the E½ E½ SW¼ NW¼). The areas described aggregate 50 acres.

Partial Withdrawal Revocation Request: The partial withdrawal revocation request applies to that portion of the above description that lies east of Highway 145 as follows:

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Government Lot 11, Section 20, Township 42 North, Range 9 West, New Mexico Principal Meridian according to the BLM Supplemental Plat, officially filed on December ~~08~~ 5, 2014, containing 21.91 acres. See attached plat.

4. **Improvements:**

The old alignment of State Highway 145 departs from its current alignment just across from the entrance to Sunshine Campground. The old road prism is clearly in place and proceeds south-east for approximately 300 feet before crossing out of this withdrawal, and proceeds another approximate 400 feet before passing out of the proposed land exchange, Federal Parcel 2.

Comment [CS1]: Is this old alignment an improvement on Lot 11? If so, does it have value that is tracked on the FS books? If so, what is that value? If not, state that no improvements are located on Lot 11, and discuss the road prism below in #7.

5. **Contamination:**

There is no known contamination on the site.

Comment [CS2]: Was an ESA performed? If so, state the date.

6. **Decontamination Measures:**

No decontamination measures are needed.

7. **Changes in the Character of the Land:**

There has been no change in the character of the land, other than the historic road prism. No facilities related to Sunshine Campground extend across the highway into this parcel.

Comment [CS3]: (see above CS1 Comment) If appropriate , move discussion of the historic road prism here. If this is a protected feature, is there any mitigation/design features in the Exchange Agreement that addresses how it will be protected? If so, briefly describe.

8. **Disturbance of the Land:**

Other than the disturbance caused in conjunction with the original highway, there has been no other disturbance to the land or the resources thereon, and no measures are necessary to recondition the property.

9. **Abandonment of Improvements:**

None.

10. **Easements and Other Rights and Interests:**

~~Other than the existing~~ Federal Highway Easement deed dated May 26, 1995, recorded at Reception No. 299664 on July 5, 1995, for State Highway 145, ~~there are no~~ There are no other easements or other rights.

Comment [CS4]: Need a statement as to whether the easement is included in Lot 11 or not. If it is, then state the exchange will be made subject to the easement. If it isn't, there is no need to mention it here.

11. **Terms of Disposal:**

Appropriate terms and conditions will be identified prior to conveyance of the land.

12. **Acquiring Party:**

The land will be acquired by Skyline Ranch Trust, L.L.C., Alta Lakes, L.L.C., and Trust for Public Land (collectively referred to as the “Non-Federal Party” in accordance with the General Exchange Act of March 20, 1922, as amended by the Act of February 28, 1925; the Federal Land Policy and Management Act of 1976, as amended, and the Federal Land Exchange Facilitation Act of 1988.

13. **Recommendation:**

The land should be disposed of in accordance with the General Exchange Act immediately described above.